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ORIGINAL: English

DATE: February 15, 2016

INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS

Geneva

CONSULTATIVE COMMITTEE**Ninety-First Session
Geneva, March 17, 2016**

EXTENSION OF A TEMPORARY APPOINTMENT

*Document prepared by the Office of the Union**Disclaimer: this document does not represent UPOV policies or guidance*

1. The purpose of this document is to propose, for consideration by the Council, an exception in relation to Staff Regulation 4.16 (a) "Temporary Appointments", concerning a possible two-year extension to the temporary appointment of Ms. Hend Madhour, Data Modeler for the "Electronic application form project" (EAF Project).
2. Subject to the International Convention for the Protection of New Varieties of Plants of December 2, 1961 and as revised on November 10, 1972, on October 23, 1978, and on March 19, 1991 (UPOV Convention) and the Agreement between the World Intellectual Property Organization and the International Union for the Protection of New Varieties of Plants (WIPO/UPOV Agreement) (see document UPOV/INF/8 at http://www.upov.int/information_documents/en/), signed on November 26, 1982, the Staff Regulations and Rules of WIPO (see http://www.wipo.int/export/sites/www/erecruitment/en/pdf/staff_rules_part_a.pdf) are applicable to UPOV staff members in accordance with the principle of *mutatis mutandis* and the exceptions and additions agreed by the Council of UPOV with the Director General of WIPO (see Article 8(1) of the WIPO/UPOV Agreement).
3. Article 8(1) of the WIPO/UPOV Agreement provides as follows:

"(1) Subject to the other Articles of this Agreement and to paragraphs (2) and (3) of this Article, the provisions of the Staff Regulations and Staff Rules of WIPO and the provisions of the Financial Regulations and Rules of WIPO, including future modifications thereof, shall, *mutatis mutandis*, apply also in respect of the staff of the Office of UPOV and the finances of UPOV, provided that the Council of UPOV may agree with the Director General of WIPO to any exceptions and additions to the same in which case such agreed exceptions and additions shall prevail. The said texts shall be considered to constitute the administrative and financial regulations of UPOV referred to in Article 20 of the UPOV Convention."
4. Staff Regulation 4.16 (a) currently provides that a temporary appointment shall not exceed a period of two years. It is proposed to recommend to the Council an exception for Ms. Madhour, in relation to Staff Regulation 4.16 (a), in order to provide for a maximum additional two-year extension of her temporary appointment, which will end on August 31, 2016.
5. An extension of up to an additional two years would allow Ms. Madhour to continue her functions in relation to the EAF Project and would avoid detrimental effects arising from the hiring of a new person and the difficulties in the transfer of her acquired knowledge. A temporary appointment is fully costed until the end of 2017 in the Program and Budget for the 2016-2017 Biennium. At the end of a two year extension (i.e. August 31, 2018), the Council would have considered the possible implementation of the EAF Project and staffing provisions within the Program and Budget for the 2018-2019 Biennium.

6. On the above basis, it is proposed to recommend to the Council, with the agreement of the Director General of WIPO (see above Article 8(1) of the WIPO/UPOV Agreement), an exception for Ms. Hend Madhour, in relation to Staff Regulation 4.16 (a), to provide for a maximum additional two-year extension of the temporary appointment of Ms. Madhour in order for her to continue her functions in relation to the EAF Project.

7. The Consultative Committee is invited to recommend to the Council, with the agreement of the Director General of WIPO (see Article 8(1) of the WIPO/UPOV Agreement), an exception for Ms. Hend Madhour, in relation to Staff Regulation 4.16 (a), to provide for a maximum additional two-year extension of the temporary appointment of Ms. Madhour in order for her to continue her functions in relation to the "Electronic application form project" (EAF Project).

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